

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 27, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: TMP-22179 - WILLOWS AT LONE MOUNTAIN WEST -**

**APPLICANT/OWNER: WILLOWS AT LONE MOUNTAIN WEST, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-22929) and the Lone Mountain West Master Plan Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. The basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

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5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**Public Works**

6. The Final Map for this site shall include a note stating “All areas not occupied by a building are a Public Drainage Easement to be Privately Maintained by the Homeowners’ Association”.
7. The Final Map for this site shall show the existing City of Las Vegas sewer easement Per Document #20021014:00588.
8. Site development to comply with all applicable conditions of approval for SDR 22929 and all other applicable site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Tentative Map for a 98-lot condominium subdivision on 5.27 acres at 10620 West Alexander Road.

This map will subdivide an existing apartment complex that has an approval (SDR-22929) to convert to residential condominiums. The map complies with the approved Site Development Plan Review and the applicable Lone Mountain West Master Plan standards. Staff recommends approval.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
07/05/01	The City Council approved a Major Modification to the Lone Mountain West Master Plan [Z-0024-99(23)] to change the land use designation from Medium Low (up to 12 dwelling units per acre) to Multi-Family Medium (up to 25 dwelling units per acre) on approximately 5.0 acres located on the north side of the Alexander Road alignment, approximately 660 feet west of the western beltway alignment. The Planning Commission and staff recommended approval.
07/24/01	The Department of Planning and Development administratively approved a Minor Modification to the Lone Mountain West Master Plan [Z-0024-99(29)] to add 5.59 acres into the master plan area on the north side of Alexander Road, approximately 330 feet east of the Cliff Shadows Parkway alignment.
09/05/01	The City Council approved a Rezoning (Z-0056-01) from U (Undeveloped) [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) on the north side of Alexander Road, approximately 330 feet east of the Cliff Shadows Parkway alignment. The City Council also approved a related Site Development Plan Review [Z-0056-01(1)] for a proposed 98-unit apartment development on the subject site. The Planning Commission and staff recommended approval.
03/02/05	The City Council approved a Site Development Plan Review (SDR-5519) for a proposed conversion of a 98-unit apartment complex to condominiums on approximately 5.27 acres at 10620 West Alexander Road. The Planning Commission and staff both recommended approval. The approval expired 03/02/07.
03/10/05	The Planning Commission approved a request for Tentative Map (TMP-5537) for a 98-unit condominium development on the subject property. Staff recommended approval. The approval expired 03/10/07.

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08/07/06	Staff approved a Final Map Technical Review (FMP-14835) for a 98-unit condominium development (Willows at Lone Mountain West) on the subject property. This map was not recorded within the mandated two-year approval period for the tentative map.
08/09/07	The Planning Commission approved a Site Development Plan Review (SDR-22929) for the conversion of a 98-unit apartment project to a condominium development on the subject property. Staff recommended approval.
<b><i>Related Building Permits/Business Licenses</i></b>	
06/11/02	A series of building permits (#02010098-02010109) were issued for apartment complex buildings at 10620 West Alexander Road. Final inspections were completed between 07/11/03 and 08/19/03.
12/09/02	A building permit (#02021928) was issued for carports for 98 parking spaces at 10620 West Alexander Road. A final inspection was completed 08/26/03.
08/27/03	A business license (A07-01610) was issued for an apartment complex at 10620 West Alexander Road. The license changed owners 03/15/07.
<b><i>Pre-Application Meeting</i></b>	
04/16/07	It was explained that this proposal would be replacing the previous tentative map, which had expired. The applicant later discovered that approval for the Site Development Plan Review on this property had also expired. A tentative map submittal checklist was issued to the applicant.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application, nor was one held.	

<b><i>Field Check</i></b>	
08/27/07	The site is fully developed with existing two-story apartments. There is a gated entrance off Alexander Road. The frontage is landscaped with shrubs and groundcover. A detached trail is located in front and on both sides of the development. The apartments are currently called "Tierra Bella at Lone Mountain West."

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	5.59
Net Acres	5.27

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments	MFM (Multi-Family Medium Residential)	PD (Planned Development)
North	Single Family Residential (Attached)	ML (Medium-Low Density Residential)	PD (Planned Development)

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South	Single Family Residential (Detached)	ML (Medium-Low Residential)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
East	Condominiums	MFM (Multi-Family Medium Residential)	PD (Planned Development)
West	Single Family Residential (Attached)	ML (Medium-Low Density Residential)	PD (Planned Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Lone Mountain West	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
PD (Planned Development) District	X		Y
<b>Trails</b>	X		Y
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

The Lone Mountain West Master Plan does not provide specific setback or minimum lot dimension standards for apartment developments within the MFM (Multi-Family Medium) designation. The construction of this multi-family residential development was completed as approved by the original Site Development Plan Review [Z-0056-01(1)].

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	5.27 acres	5.27 acres	Y
Min. Lot Width	N/A	351 feet	N/A
Min. Setbacks			
• Front	34 feet	34 feet	Y
• Side	20 feet	20 feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 feet	15 feet	Y
Min. Distance Between Buildings	20 feet	20 feet	Y

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Max. Building Height	2 stories/30 feet	2 stories/ 30 feet; garages 12.25 feet	Y
Trash Enclosure	Walled, gated	Walled, gated	Y
Mech. Equipment	Screened	Screened	Y

**Residential Adjacency Standards:** The development is not subject to residential adjacency standards, as the apartment complex was approved prior to the construction of single-family dwellings to the north, west and south, and of condominiums to the east.

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density Or Units</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
5.27	98 units	330 SF/Unit	14.1%	32,340 SF*	33.9%	77,793 SF	Y

\*This was the amount required at the time of the original Site Development Plan Review [Z-0056-01(1)], at the rate of 330 SF of open space per unit.

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-family Residential (1 bedroom)	16 units	1.25/unit	20				
Multi-family Residential (2 bedroom)	50 units	1.75/unit	88				
Multi-family Residential (3 bedroom)	32 units	2.00/unit	64				
Guest parking	98 units	1/6 units	17				
SubTotal	98 units		183	6	192	6	Y
TOTAL			189		198		Y

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**ANALYSIS**

The Tentative Map proposes to subdivide existing apartment units into condominium units. Access to the subject site will be from a single gated entrance from Alexander Road. The buildings demonstrate compliance with all residential adjacency requirements. All perimeter walls are existing and comply with Code requirements. The development was previously approved for conversion to condominiums (SDR-5519); however, action was not taken to convert within the two-year approval period.

As a condition of approval from the most recent Site Development Plan Review (SDR-22929), the applicant shall provide proof of compliance with Nevada Revised Statutes by submitting a notice of intent to convert to each tenant. The applicant must also provide each tenant with notice of any and all future public hearings regarding the conversion or mapping process.

**FINDINGS**

- **Cross Section**

East-west and north-south cross section drawings have been submitted. They show the existing graded site and finished floor elevations of the existing buildings. Existing CMU retaining walls are located on the north, south, east and west property lines. Screening of various heights is provided on top of the retaining walls with wrought iron fencing attached between CMU pilasters. All walls are in compliance with Title 19 requirements.

- **Trails**

A Multi-Use Equestrian trail has been shown on the southern boundary of the subject site in conformance with the original Site Development Plan Review [Z-0056-01(1)]. This 30-foot wide trail is fully constructed, with five feet of landscaping within the Alexander Road right-of-way. Further, the subject site has a Multi-Use Non-Equestrian trail along the western alignment of the property in the power line corridor, as conditioned by [Z-0056-01(1)]. The completed trail includes an eleven-foot wide paved corridor with seating and trash receptacles spread out along the trail length.

- **Special Conditions of Approval (from SDR-22929)**

1. All development shall be in conformance with the approved site plan, landscape plan and building elevations of Site Development Plan Review [Z-0056-01(1)] except as amended by conditions herein.

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2. All units, as well as the common ownership facilities, shall be brought into compliance with all applicable state and local building, housing, mechanical and fire codes adopted for use by the city at the time of original construction.
3. Each dwelling unit shall be served by gas and/or electric services completely within the lot lines or ownership space of each separate unit. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place. Each dwelling unit shall be separately metered for gas and/or electricity. A plan for equitable sharing of communal water metering, where required, shall be included in the covenants, conditions and restrictions.
4. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.
5. The applicant shall provide a building and grounds condition report prepared by a licensed civil engineer or licensed architect to the Planning and Development Department for review and approval upon application for Tentative Map approval. This report shall contain an evaluation of the structural condition of each building in the project, and an evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences and utility systems. A copy of the report shall be provided to all prospective buyers.
6. Upon application for a Tentative Map, the applicant shall provide proof that a notice of intent to convert has been delivered to each tenant as required by Nevada Revised Statutes. The applicant is further responsible for providing each tenant with notice of any and all future public hearings held regarding the conversion or mapping process.
7. Any remodeling or construction work in conjunction with the conversion of the apartments shall require permits from the Department of Building and Safety, with the exception of painting, carpeting, or other similar finish work.
8. The conversion from apartments to condominiums shall require the payment of additional sewer connection fees. The additional fees shall be paid prior to the recordation of the Final Map. Proof of payment shall be required upon submittal of the Final Map.



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**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**NOTICES MAILED**            N/A

**APPROVALS**                    0

**PROTESTS**                    0